

## REMARKS/ARGUMENTS

Claims 1, 7 and 15 are pending in the present application. Claims 1, 7 and 15 have been amended herewith. Reconsideration of the claims is respectfully requested.

### **I. 35 U.S.C. § 103, Obviousness**

Claims 1, 7 and 15 stand rejected under 35 U.S.C. § 103 as being unpatentable over Dailey et al. (U.S. Patent No. 6,363,352), hereinafter “Dailey” in view of Walther et al. (U.S. Publication No. 2003/0217073), hereinafter “Walther”. This rejection is respectfully traversed.

With respect to Claim 1, such claim recites “for each of the plurality of users, identifying a schedule conflict of a user associated with an acceptance message of the plurality of acceptance messages, wherein identifying the schedule conflict comprises accessing a schedule store of a data processing system that generated the acceptance message, wherein the schedule conflict of the user is identified if the user has a plurality of time-overlapping events with respect to the first scheduled event that the user has previously accepted in their own calendaring system; responsive to identifying the schedule conflict, calculating, for each of the plurality of users, a probable attendance from the plurality of acceptance messages; displaying each of the plurality of users and the respective probable attendance for each of the plurality of users in a user interface; forming a meeting status value from the calculated probable attendance for each of the plurality of users; and conveying the meeting status value to at least one user associated with one of the plurality of acceptance messages”. As can be seen, the features of Claim 1 advantageously provide for displaying probable attendance for each of the users, and such probable attendance is calculated in response to identifying actual schedule conflicts of a user.

As to the claimed feature of “identifying a schedule conflict of a user associated with an acceptance message of the plurality of acceptance messages”, the Examiner expressly acknowledges that Dailey does not teach this claimed step. Applicants urge that Walther similarly does not teach or suggest this claimed step, as Walther is directed to a system that *avoids conflicts altogether*, where if a user already has a calendared event that overlaps with the potential calendar event that is attempting to be scheduled, *that user with the preexisting calendaring event is eliminated from further consideration* – and is treated as if they will not be attending the calendaring event (Walther paragraph [0050]). There is no determination for a given user as to their attendance probability based on a plurality of actual scheduling conflicts that a given user has with respect to a proposed event.

The features of Claim 1 advantageously provide for ‘shades of grey’ in determining a given user’s probability of attending a meeting based on (1) their own calendar and (2) the number of actual conflicts that actually exist on such user’s calendar (Figure 5, block 516). In contrast, per the teachings of

Walther there is no attendance probability 'shades of grey' determination, but instead there is a 'black and white' determination where a user can either attend because there is no overlapping calendaring event, or they cannot attend because there is an overlapping calendaring event. Thus, the features of the present invention provide a finer level of granularity determination regarding a probability attendance, as *the number of actual conflicts for a given user* is used in the overall meeting status value, whereas per Walther a coarser level of granularity is provided, since if a user already has an overlapping calendaring event with respect to the proposed calendaring event, they are excluded in their entirety from the overall availability determination.

Applicants have amended Claim 1 herewith to further emphasize this critical distinction (by detailing the schedule conflict determination, as well as displaying the probable attendance for each of the users), and thus it is further urged that this amendment to Claim 1 has overcome the present rejection of such claim 35 U.S.C. § 103.

Applicants traverse the rejection of Claims 7 and 15 for similar reasons to those given above with respect to Claim 1.

Therefore, the rejection of Claims 1, 7 and 15 under 35 U.S.C. § 103 has been overcome.

## **II. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: July 28, 2008

Respectfully submitted,

/Wayne P. Bailey/

Wayne P. Bailey  
Reg. No. 34,289  
Yee & Associates, P.C.  
P.O. Box 802333  
Dallas, TX 75380  
(972) 385-8777  
Attorney for Applicants